

**TOWN BOARD MEETING
WEDNESDAY, FEBRUARY 6, 2008; 7:00 P.M.
NEW WINDSOR TOWN HALL
NEW WINDSOR, NEW YORK**

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Highway Superintendent Fay, Town Attorney Blythe, Deputy Police Chief Hovey, Assessor Wiley

SALUTE TO FLAG

Supervisor Green called to order the Town Board Meeting and presided over same.

#1 ON AGENDA: MINUTES

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the minutes of the Town Board Meeting held on January 9, 2008, and the minutes of the Special Meeting of the Town Board sitting as the Local Redevelopment Authority held on January 23, 2008 as per the copies posted on the Town Clerk's bulletin board in the Town Hall and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

WATER DEPARTMENT

#2 ON AGENDA: MOTION – AUTHORIZE CHANGE ORDER #2 – UNION AVENUE PUMP STATION – C. A. PHILLIPS CONSTRUCTION CORP.

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize change order #2 submitted by C.A. Phillips Construction Corp. in the amount of \$14,130.02 for work on the Union Avenue Pump Station per the recommendation of McGoe, Hauser and Edsall Consulting Engineers, P.C. on January 31, 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#3 ON AGENDA: MOTION – AUTHORIZE SUPERVISOR TO NEGOTIATE AND EXECUTE AMENDMENT – FIRTHCLIFF HEIGHTS WATER DISTRICT

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize Supervisor Green to negotiate and execute an amendment and any other necessary documents to the Agreement with the Town of Cornwall governing the Town of New Windsor's supply of water to the Firthcliffe Heights Water District.

Roll Call: All Ayes

Motion Carried: 5-0

SANITATION DEPARTMENT

GENERAL

#4 ON AGENDA: MOTION – ADOPT MANAGEMENT SAFETY POLICY

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adopt the attached Management Safety Policy.

Roll Call: All Ayes

Motion Carried: 5-0

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**#5 ON AGENDA: MOTION – AUTHORIZATION TO ADVERTISE FOR SEALED BIDS –
SEWER TREATMENT PLANT ODOR CONTROL PROJECT**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, for sealed bids for the Odor Control Project at the Town of New Windsor Sewer Treatment Plant. Bids shall be received and publicly opened on the 13th day of March 2008 at 11:00 A.M. at the office of the Town Clerk, 555 Union Avenue, New Windsor, New York. The Town Board of the Town of New Windsor reserves the right to reject any and/or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

**#6 ON AGENDA: RECEIVE AND FILE PETITION AND MAP, PLAN AND REPORT -
EXTENSION OF AMBULANCE DISTRICT – KNOX VILLAGE SENIOR
CITIZEN HOUSING**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Petition and Map, Plan and Report dated January 15, 2008, for an extension of Ambulance District for Knox Village Senior Citizen Housing.

**#7 ON AGENDA: MOTION – AUTHORIZE CALLING PUBLIC HEARING – EXTENSION
OF AMBULANCE DISTRICT - KNOX VILLAGE/LEGACY WOODS**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for a Public Hearing regarding Knox Village/Legacy Woods for the extension of the Ambulance District, former Town of Cornwall SBL 9-1-19.1 & 46, to be held on the 5th day of March 2008, at 7:00 P.M. in the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York.

Roll Call: All Ayes

Motion Carried: 5-0

**#8 ON AGENDA: MOTION – AUTHORIZE SUPERVISOR TO ACCEPT GRANT AND SIGN
CONTRACT – HUDSON RIVER VALLEY GREENWAY**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to accept a \$5,000 matching grant for Plum Point Park at Kowawese State Trail Park, and sign the contract with Hudson River Valley Greenway.

Roll Call: All Ayes

Motion Carried: 5-0

**#9 ON AGENDA: MOTION – AUTHORIZE SUPERVISOR TO EXECUTE DEVELOPER’S
AGREEMENT – CHESTNUT WOODS AT CORNWALL**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize Supervisor Green to execute a Developer’s Agreement between Town of New Windsor and The Manor at Cornwall, LLC for the Chestnut Woods at Cornwall subdivision as recommended by the Town Attorney.

Roll Call: All Ayes

Motion Carried: 5-0

**#10 ON AGENDA: MOTION - DECLARATION OF LEAD AGENCY STATUS AND HOME
RULE REQUEST- ALIENATION OF PARKLANDS (LITTLE FALLS)**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor adopt the following resolution:

WHEREAS, the Town Board of the Town of New Windsor desires to discontinue the use of certain parklands consisting of portions of Section 9, Block 1, Lot 55.23 and Section 9, Block 1, Lot 108 in the Little Falls section of New Windsor, consisting of approximately 34.72 acres, which are no longer necessary as a public park; and

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WHEREAS, the property requires Type I classification under the SEQRA review process; and

WHEREAS, the Town Board of the Town of New Windsor will cause a full SEQRA Environmental Assessment Form (the “EAF”) to be prepared;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Windsor authorize the Supervisor, pursuant to Municipal Home Rule Law Section 40, to request a Special Law (Home Rule Request) permitting the alienation of parkland, designated as Section 9, Block 1, Lot 55.2 on the tax map of the Town of New Windsor; and

BE IT FURTHER RESOLVED that the Town Board of the Town of New Windsor intends to declare itself lead agency for all SEQRA review determinations and advise other involved or interested agencies of said intent; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of New Windsor hereby directs the Town Engineer to prepare a full EAF for the proposed alienation of parkland; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the full EAF and any and all related documents necessary for the proposed alienation of Little Falls parkland; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of New Windsor directs the Town Attorney to circulate a Lead Agency coordination letter among the various involved or interested agencies together with copies of the EAF, and such other information as is appropriate, indicating the Town Board’s intent to assume the role of Lead Agency for the action under SEQRA and Part 617 for review and comment and in the event no response is received within thirty calendar days, the Town Board of the Town of New Windsor will assume the role of lead agency; and

BE IT FURTHER RESOLVED, that the Town Attorney is directed to prepare the Home Rule Request to be executed by the Supervisor and forwarded to the appropriate Legislator.

Roll Call: All Ayes

Motion Carried: 5-0

#11 ON AGENDA: MOTION – ADOPT RESOLUTION PROVIDING ADDITIONAL PENSION BENEFITS– NEW WINDSOR POLICE DEPARTMENT

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the attached Resolution to provide additional pension benefits of Section 375-e; Section 375-g and Section 375-I of the Retirement and Social Security Law for police officers.

#12 ON AGENDA: RECEIVE AND FILE PERFORMANCE BOND – MIDDLE EARTH MAJOR SUBDIVISION

Hearing no objection, the Town Board of the Town of New Windsor receive and file Rider to Bond #8845174 from Zurich North America Surety and Financial Enterprises in the amount of \$183,147.00 for Middle Earth Major Subdivision as authorized by the Town Board on January 9, 2008.

#13 ON AGENDA: RECEIVE AND FILE PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION WORKERS’ COMPENSATION PROGRAM AGREEMENT

Hearing no objection, the Town Board of the Town of New Windsor receive and file fully executed Public Employer Risk Management Association Workers’ Compensation Program Agreement effective January 1, 2008.

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#14 ON AGENDA: OFFICIALS REPORTS

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of December 2007
Building Department	Year-End Report for 2007
Building Department	Month of January 2008
Fire Prevention	Month of January 2008
Receiver of Taxes – Monthly Tax Statement	Month of January 2008
Receiver of Taxes – Water-Sewer-Garbage	Month of January 2008
Recreation Department	Month of January 2008
Town Clerk	Month of January 2008
Town Justice Suttlehan	Month of January 2008
Town Justice Thorpe	Month of January 2008

#15 ON AGENDA: PUBLIC FORUM

Supervisor Green opened the public forum portion of the meeting by asking if any of the Board had any comments. He then asked if anyone else had any comments or questions.

Bill Steidle said he had comments on two matters, the first being by the entrance to army housing at Stewart near Station Road. He said that there is a pool of brown water across the entire entrance which is trickling over the grass and into a stream which is a direct tributary into Beaver Dam Lake. He said he drove into Stewart where the Hovnanian project is under construction and while they did have some good erosion control and the roads were paved, the entire construction site is full of mud and all torn up.

Supervisor Green said that along Clark Street and Broklehurst the housing is coming completely out of there and that's why its all torn up. He said that there are problems however, it is federal government property and so is not subject to the Town's zoning law so the Town cannot send building inspectors out there. The infrastructure has been inspected, but that was voluntary on their part.

Mr. Steidle said that if anyone wants to find out what is causing damage to Beaver Dam Lake, they only have to go north of Route 207.

Supervisor Green said he would have the town attorney make a call to Jeff Williams.

Bill Steidle said he attended a Planning Board meeting last week and a proposed project for 228 condos in an R-1 zone is causing him alot of concern. The site is located at the Par 3 golf course property. He said there is ten times the zoning density and the firm doing the work is not going to do anything for the Town. He also feels that the next thing the developer will want is to extend sewer to their property and to the adjoining properties and pretty soon the area will have 2,028 condominiums.

Barney Bedetti asked about item #10 on the agenda relating to the discontinuation of Little Falls parkland and what are the plans for the land. Supervisor Green said there are no specific plans except that the Town Board wants to split the back half off, a portion of which was sold three or four years ago and we want to make sure it is right for the owner. The Town also wants to go back in and reexamine the old wells that are there. This is the second attempt by the Town to pass this through the NYS Legislature and if not successful this time, the Town will take this to the Orange County Supreme Court.

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Barney Bedetti asked about item #5 on the agenda relating to the bid for the sewer plant odor control project. He asked if there was going to be something more done than adding a sand filter because it was his understanding that a sand filter isn't too effective against odor control. Supervisor Green said he thinks it is more than sand, the Town Engineers are recommending the project. We don't have the final plans yet but to call Dick McGoey or Mark Edsall with any questions.

Bill Steidle said he wanted to add that most of the condominium site is located within the watershed of Brown's Pond. Supervisor Green said the Town Board is aware of that and he has already spoken to the developer about possible runoff.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum portion of the Agenda.

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 5-0

#16 ON AGENDA: ADJOURN

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adjourn the Town Board Meeting at 7:50 P. M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc